

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

AMERICAN SOUTHERN	§	
INSURANCE COMPANY,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 1:09-CV-723
V.	§	
	§	
MICHAEL BUCKLEY, d/b/a	§	
BUCKLEY & SONS PLUMBING,	§	
SHILOH ENTERPRISES, INC.,	§	
CLEVELAND IMAGING AND	§	
SURGICAL HOSPITAL, L.L.C.,	§	
COLONY INSURANCE GROUP,	§	
JOHN DOE INSURANCE	§	
COMPAN(IES) 1-10,	§	
	§	
Defendants.	§	

MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION ON MOTION FOR DEFAULT JUDGMENT

The Court referred this matter to United States Magistrate Judge Keith F. Giblin at Beaumont, Texas, for hearing and submission of a recommended disposition on case-dispositive motions pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules for the United States District Court for the Eastern District of Texas. Pending before the Court is the plaintiff American Southern Insurance Company's ("ASIC") motion for default judgment against defendant Cleveland Imaging and Surgical Hospital [doc. #41].

On December 28, 2010, Judge Giblin issued his Report and Recommendation on Motion for

Default Judgment [doc. #46]. Judge Giblin recommended that the Court deny the motion at this

time, without prejudice to reassert at a later date.

To date, no party has filed objections to the magistrate judge's proposed findings and

recommendation. Accordingly, having reviewed the record and Judge Giblin's report, the Court

agrees with the magistrate judge's findings and recommended disposition. The Court **ORDERS** that

the Report and Recommendation [doc. #46] is **ADOPTED**. Judge Giblin's findings and conclusions

of law are incorporated in support of this order.

The Court further **ORDERS** that ASIC"s motion for default judgment [doc. #41] is **DENIED**

at this time, without prejudice to reassert at a later date.

So ORDERED and SIGNED this 27 day of January, 2011.

Rm Clark

Ron Clark, United States District Judge

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